

CIVIL CITATION SWORN TO OR AFFIRMED BY THE OFFICER SHALL BE CONSIDERED PRIMA FACIE EVIDENCE OF THE FACTS CONTAINED IN THE CIVIL CITATION; AND

(4) THE DEFENDANT MAY ADMIT OR DENY A VIOLATION, AND THE COURT SHALL ENTER JUDGMENT FOR THE DEFENDANT OR THE CITY.

(P) THE STATE'S ATTORNEY, THE CITY SOLICITOR, OR ANY ATTORNEY DESIGNATED BY THE CITY IS AUTHORIZED TO REPRESENT THE CITY IN ENFORCING A CIVIL CITATION.

SECTION 2. AND BE IT FURTHER ENACTED, That between July 1, 1997 and October 1, 1997, every citation issued under this Act shall be served with notice of the provisions of this Act and reference to the appropriate section(s) of the laws of this State.

SECTION 2. 3. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 1997.

May 19, 1997

The Honorable Thomas V. "Mike" Miller, Jr.
President of the Senate
State House
Annapolis MD 21401-1991

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I vetoed today Senate Bill 278 - Vehicle Emissions Inspection Program - Voluntary Dynamometer Testing. This bill would have prohibited the State from operating a mandatory "dynamometer" or "treadmill" test as part of Maryland's emissions testing program needed to comply with federal Clean Air Act requirements.

Maryland has a serious air pollution problem, and the primary source of air pollutants in the state comes from automobile emissions. The VEIP program is the most cost effective tool we have to keep our air, and the Bay, clean. The VEIP program is required under the Federal Clean Air Act authorized by Congress. The Maryland General Assembly also authorized the mandatory treadmill test many years ago as part of our clean air strategy.

During my entire career, I have stood strong for clean air, a clean Chesapeake Bay, and the health of our citizens, especially our children. During my term as Governor I sponsored, fought for, and passed the Rural Legacy land conservation program, Wildlands legislation, and the Smart Growth legislation to slow suburban sprawl and revitalize our established neighborhoods. These efforts, particularly the efforts on Smart Growth, would be compromised if I were to sign this bill. Federal sanctions would prohibit precisely the kind of rebuilding we are trying to stimulate, because these are the very areas where the air quality is the poorest and where, as a consequence, federal sanctions would prohibit new building.

This decision is not about state's rights or threats from Congress or EPA and the issuing of sanctions. It is about protecting the Chesapeake Bay and the health of our citizens, most notably the 600,000 Marylanders who suffer respiratory problems. This is about